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Mutual Bank, N.A.

**UNITED STATES DISTRICT COURT
DISTRICT OF OREGON**

CORINNA-BRIDGETT, *in esse*, individually,
and as Agent for and on behalf of SALAL
PARK, INC., an Oregon non-profit corporation

Case No. 08CV-1072-HU

Plaintiffs

v.

WASHINGTON MUTUAL BANK, N.A.;
ROUTH CRABTREE OLSEN, P.C.: ALAN H.
FISHMAN; TERESA M. SHILL; NANCY E.
HOCHMAN; THOMAS W. KOHL; AND ROB
GORDON,

Defendants.

**DEFENDANT WASHINGTON
MUTUAL BANK'S MOTION TO
SUBSTITUTE**

Defendant, Washington Mutual Bank, by and through its undersigned counsel, hereby files this Motion to Substitute on behalf of the Federal Deposit Insurance Corporation, as Receiver of Washington Mutual Bank (Receiver), and respectfully represents to the Court that it is the real party in interest in the above captioned lawsuit, as contemplated by Rule 1.21(a) or (Rule 17(a) Federal Rules of Civil Procedure), and moves the Court to substitute the Receiver in the place and stead of defendant Washington Mutual Bank. In support thereof, Appellant states as follows:

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1. On September 25, 2008, the Office of Thrift Supervision declared Washington Mutual Bank insolvent, and appointed the Federal Deposit Insurance Corporation (the “Corporation”) its Receiver. See Exhibit “A”.
2. The Corporation accepted the appointment as Receiver pursuant to 12 U.S.C. Section 1821(c)(3)(A).
3. As such, the FDIC is now the real party in interest and must be substituted as Defendant in the place of Washington Mutual Bank.

DATED this 7th day of November, 2008

ROUTH CRABTREE OLSEN, P.C.

By /s/ Teresa M. Shill
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